

110TH CONGRESS
2D SESSION

H. RES. 1055

Recognizing the enduring value of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) as a cornerstone of global efforts to combat racial discrimination and uphold human rights, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2008

Mr. HASTINGS of Florida (for himself, Ms. SLAUGHTER, Mr. RANGEL, Mr. MEEKS of New York, Ms. SOLIS, and Mr. BUTTERFIELD) submitted the following resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Recognizing the enduring value of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) as a cornerstone of global efforts to combat racial discrimination and uphold human rights, and for other purposes.

Whereas racial discrimination and its related disparate outcomes continue to be a problem in the United States and throughout the world;

Whereas in a global effort to monitor and combat racial discrimination, a number of multilateral organizations have

become cooperating partners, including the United Nations Committee on the Elimination of Racial Discrimination (CERD), the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (ODIHR), the European Commission against Racism and Intolerance (ECRI), and the European Union Fundamental Rights Agency (EUFRA);

Whereas CERD recently held its seventy-second session in Geneva, Switzerland, to review anti-discrimination efforts undertaken by the Governments of Fiji, Italy, the United States, Belgium, Nicaragua, Moldova, and the Dominican Republic;

Whereas these countries are among the 173 states party to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);

Whereas agreed upon and originally signed by 85 states on December 21, 1965, ICERD is now one of the most widely ratified United Nations human rights conventions;

Whereas under ICERD, states party commit themselves to condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination and promoting understanding among all races;

Whereas states party also agree to take effective measures to amend, rescind, or nullify any laws and regulations that have the effect of creating or perpetuating racial discrimination and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;

Whereas the United States ratified ICERD on October 21, 1994;

Whereas in April 2007, the United States submitted its second report to CERD and appeared before CERD on February 21 and 22, 2008, in accordance with ICERD commitments;

Whereas the United States' report details the numerous measures, including measures that have enjoyed some success, undertaken to combat and address racial discrimination and racial disparities;

Whereas the United States Government stated to CERD that “it supported the elimination of racial discrimination at home and abroad [...] and had made significant progress in improving race relations in the past [and] continued to work actively to eliminate racial and ethnic discrimination. However, challenges still existed, and a great deal of work remained to be done.”;

Whereas in a demonstration of the vibrancy and role of the civil society in the process, over 400 representatives of the United States civil society submitted a shadow report supplementing the United States' report; and

Whereas in response to the United States' report, CERD issued “Concluding Observations” for the United States that—

- (1) commended the high-level United States delegation and various departments and agencies tasked with eliminating racial discrimination;

- (2) commended the reauthorization of the Violence Against Women Act of 1994 and the Voting Rights Act of 1965, the launch of the E-RACE Initiative (“Eradicating Racism and Colorism from Employment”), the creation of the National Partnership for Action to End Health Disparities for Ethnic and Racial Minority Populations, and California Housing Element Law of 1969;

(3) called on the United States to review the definition of racial discrimination and practices and legislation that may not be discriminatory in purpose, but in effect, and supported the adoption and strengthening of special measures to address racial disparities;

(4) provided detailed concerns and recommendations regarding Hurricane Katrina victims, and racial disparities in housing, employment, healthcare, education, and the criminal justice system, including those aspects that disproportionately impact women and Native American, Muslim, and migrant populations; and

(5) recommended that the United States establish appropriate mechanisms to ensure a coordinated approach toward the implementation of ICERD at the Federal, State, and local levels: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) recognizes the enduring value of ICERD as
3 a cornerstone of global efforts to combat racial discrimination and uphold human rights;

5 (2) commends the United States for meeting its
6 ICERD reporting obligations;

7 (3) urges the Secretary of State, in cooperation
8 with the Attorney General and the heads of other
9 relevant Federal departments and agencies, to immediately and routinely communicate CERD’s “Concluding Observations” to the appropriate Federal,
10 State, and local agencies;

1 (4) supports the United States recognition that
2 racial discrimination and resulting disparate out-
3 comes remain a problem and that stereotypes and
4 unconscious biases contribute to the persistence of
5 racial discrimination;

6 (5) calls for increased support for research and
7 initiatives by government, civil society, and the pri-
8 vate sector, to address both implicit and explicit
9 forms of racial discrimination in health, education,
10 employment, justice, housing, and other sectors; and

11 (6) calls upon the United States Government to
12 support existing laws and programs aimed at re-
13 dressing past injustices detailed in the third United
14 States' report to CERD that have contributed to on-
15 going racial discrimination and present day dispari-
16 ties.

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